

Oct 29, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

RYAN C.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 2:17-CV-0420-JTR

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 20. Attorney Gary R. Penar represents Plaintiff; Special Assistant United States Attorney Joseph John Langkamer represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 4. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 20**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the administrative law judge (ALJ) will hold a *de novo* hearing and issue a new decision. The ALJ shall: (1) further evaluate the opinion evidence, including the evidence from Dr. Mueller and Dr. Schiopu; and (2) obtain

1 updated evidence from a medical and/or vocational expert, if warranted. The ALJ
2 may take any other actions necessary to develop the record, and Plaintiff may
3 present additional testimony and submit additional evidence.

4 2. **Judgment shall be entered for PLAINTIFF** in accordance with FED.
5 R. Civ. P. 58.

6 3. Plaintiff's Motion for Summary Judgment, **ECF No. 12**, is
7 **STRICKEN AS MOOT**.

8 4. An application for attorney fees may be filed by separate motion.
9 The District Court Executive is directed to enter this Order, forward copies
10 to counsel, and **CLOSE THE FILE**.

11 DATED October 29, 2018.

A handwritten signature in black ink, appearing to be "M" or "Rodgers", is written above a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE